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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/834,240	04/15/97	LIBMAN	R 430-012
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EXAMINER

ALVAREZ, R

ART UNIT

PAPER NUMBER

2761

10

DATE MAILED: 10/01/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/834,240

Applicant(s)  
Richard M. Libman

Examiner  
RAQUEL ALVAREZ

Group Art Unit  
2761



☒ Responsive to communication(s) filed on Jul 19, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-137 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-137 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

The remainder of \$40.00 is outstanding for the I.P.S. fee.  
Please submit the fee with the response. See attachment.

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### DETAILED ACTION

1. Claims 1-137 are presented for examination.

#### Double Patenting

2. Claims 1-137 are provisionally rejected under the judicially created doctrine of double patenting over claims 156 of copending Application No. 08/661,004. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: preparing a client communication pertaining to a financial product or insurance product for a client wherein the client communication is for combined use with a corresponding and respective host vehicle, using decision information to automatically select variable information into the client communication regarding individual life insurance products other than term life insurance products.

The instant claims are broader in scope than the parent application therefore by default the allowed claims contain the subject matter of the instant claims. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have broaden the scope of the claims because such a modification would wider the scope of the claims.

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Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

**Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

A. Lucks et al. (4,831,526) disclosed a computerized insurance premium quote request and policy issuance system;

B. Tyler (5,523,942) disclosed a design grid for inputting insurance and investment product information in a computer system;

C. Atkins (5,644,727) disclosed a system for the operation and management of one or more financial accounts through the use of a digital communication and computation system for exchange, investment and borrowing;

D. Ryan et. al.(5,673,402) disclosed a computer system for producing an illustration of an investment repaying a mortgage;

E. Ryan et al.(5,655,085) disclosed a computer system for automated comparing of universal life insurance policies based on selectable criteria;

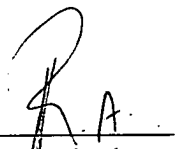
F. Clark et al.(5,710,889) disclosed an interface device for electronically integrating global financial services.

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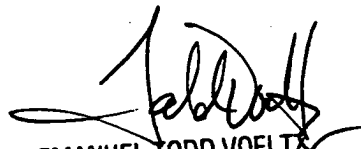
**Points Of Contact**

4. Any inquiry concerning this communications from the examiner should be directed to Raquel Alvarez whose telephone number is (703) 305-0456. The examiner can normally be reached on Monday to Friday from 9:00 AM. To 5:00 PM.

If any attempt to reach the examiner by telephone is unsuccessful, The examiner's supervisor, Todd Voeltz can be reached at (703) 305-9714. The fax phone number for this group is (703) 305-0040.

  
Raquel Alvarez  
Patent Examiner, AU 2761

September 30, 1999

  
EMANUEL TODD VOELTZ  
SUPERVISORY PATENT EXAMINER  
GROUP 2700